



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/072,496	02/05/2002	Shunpei Yamazaki	07977-301001	1207
26171	7590	06/15/2005	EXAMINER	
FISH & RICHARDSON P.C. P.O. BOX 1022 MINNEAPOLIS, MN 55440-1022			GARY, ERIKA A	
			ART UNIT	PAPER NUMBER
			2681	

DATE MAILED: 06/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/072,496

Applicant(s)

YAMAZAKI ET AL.

Examiner

Erika A. Gary

Art Unit

2681

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 07 March 2005.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-96 is/are pending in the application.
- 4a) Of the above claim(s) 27-96 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>3/7/05</u> . | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Election/Restrictions***

1. Newly submitted claim 27-96 are directed to an invention that is independent or distinct from the invention originally claimed for the following reasons: The original claims 1-26 are directed to class 455, subclass 575.1: housing or support. New claims 27-96 are directed to class 455, subclass 566, as independent claims 27-32 include details of the display device and processing a signal to display data.

Since applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. Accordingly, claims 27-96 are withdrawn from consideration as being directed to a non-elected invention. See 37 CFR 1.142(b) and MPEP § 821.03.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1, 2, 5, and 12-26 are rejected under 35 U.S.C. 102(e) as being anticipated by Edwards et al., US Patent Application Publication Number 2002/0077160 (hereinafter Edwards).

Regarding claim 1, Edwards discloses an electronic device comprising: a first housing; a second housing; a hinge, wherein the first and second housings are coupled together by the hinge, wherein a first center line of the first housing and a second center line of the second housing are in parallel with each other only in a state where the first housing and the second housing are folded via the hinge, and wherein the first center line and the second center line are inclined relative to each other in a state where the first housing and the second housing are opened via the hinge [figs. 6, 7, 10; paragraphs 0021, 0022].

Regarding claim 2, Edwards discloses a first surface of the first housing and a second surface of the second housing oppose each other [fig. 6].

Regarding claim 5, Edwards discloses the first and second housing are connected in a direction selected from the group consisting of a vertical direction and a lateral direction [fig. 6].

Regarding claims 12-14, Edwards suggests the electronic device is an information terminal, cellular phone, or a PDA [paragraph 0021].

Regarding claim 15, Edwards discloses an electronic device comprising: first housing; a second housing; a hinge, wherein the first and second housings are coupled together by the hinge, wherein each of the first and second housings has a pair of lines opposing each other, wherein one of the pair of lines of the first housing has a shorter

Art Unit: 2681

length than the other one of the pair of lines of the first housing, and wherein one of the pair of lines of the second housing has a shorter length than the other one of the pair of lines of the second housing [figs. 6, 7, 10; paragraphs 0021, 0022].

Regarding claim 16, Edwards discloses at least one of the first and second housing includes a display unit [paragraph 0021]. It is inherent in the art to include a display unit selected from the group consisting of a liquid crystal display device and a light-emitting device.

Regarding claim 17, it is inherent to include a photoelectric conversion element formed in the one selected from the group consisting of a liquid crystal display device and the light emitting device.

Regarding claims 18-20, Edwards suggests the electronic device is an information terminal, cellular phone, or a PDA [paragraph 0021].

Regarding claim 21, Edwards discloses an electronic device comprising: a first housing; a second housing; a hinge, wherein the first and second housings are coupled together by the hinge, wherein each of the first and second housings has a trapezoid shape [figs. 6, 7, 10; paragraphs 0021, 0022].

Regarding claim 22, Edwards discloses wherein at least one of the first and second housing includes a display unit [paragraph 0021]. It is inherent in the art to include a display unit selected from the group consisting of a liquid crystal display device and a light-emitting device.

Regarding claim 23, it is inherent to include a photoelectric conversion element formed in the one selected from the group consisting of a liquid crystal display device and the light emitting device.

Regarding claims 24-26, Edwards suggests the electronic device is an information terminal, cellular phone, or a PDA [paragraph 0021].

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 3, 4, and 6-11 rejected under 35 U.S.C. 103(a) as being unpatentable over Edwards in view of Yoon, US Patent Number 6,697,083 (hereinafter Yoon).

As discussed above, Edwards disclose the limitations of independent claim 1. What Edwards does not specifically teach are the limitations of dependent claims 3, 4, and 6-11 disclosing arrangement details of the electronic device. However, Yoon teaches these limitations as will be discussed below.

Regarding claim 3, Yoon discloses one of the first and second housings includes a transmitting unit while the other of the first and second housings includes a receiving unit [fig 2: refs. 40, 60].

Regarding claim 4, Yoon discloses one of the first and second housing includes a display unit while the other of the first and second housing includes an operation key [fig. 2: refs. 30, 50].

Regarding claim 6, Yoon discloses a symbol displayed on the display unit is changed according to a direction of the electronic device [fig. 5a; col. 4: lines 27-42].

Regarding claim 7, the Examiner takes Official Notice that it is well known in the art for an operation key to include a translucent button with a display portion formed under the translucent button. At the time of the invention, it would have been obvious to one of ordinary skill in the art to include this feature for ease of use for the user in operating the electronic device.

Regarding claim 8, Yoon discloses the display unit includes one selected from the group consisting of a liquid crystal display device and a light-emitting device [col. 2: lines 53-54].

Regarding claim 9, Yoon discloses a symbol including at least one selected from the group consisting of a letter, a character, an alphabet, a numeral and a pictograph is displayed on the display unit [fig. 5a].

Regarding claim 10, Yoon discloses a picture is displayed on the display unit [fig. 5a].

Regarding claim 11, Yoon discloses a photoelectric conversion element is formed in the one selected from the group consisting of a liquid crystal display device and the light emitting device [col. 2: lines 53-54].

Edwards and Yoon are combinable because they are from the same field of endeavor, that is, electronic devices with two housings. At the time of the invention, it would have been obvious to one of ordinary skill in the art to modify Edwards to include the features of Yoon. The motivation for this combination would have been to specifically point out the arrangement of typical device components, such as the transmitting unit, receiving unit, and the display.

### ***Conclusion***

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.




Art Unit: 2681

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Erika A. Gary whose telephone number is 571-272-7841. The examiner can normally be reached on Monday-Thursday and alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Feild can be reached on 571-272-4090. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

EAG  
June 13, 2005

  
ERIKA A. GARY  
PRIMARY EXAMINER